

City of Hale Center – Regular City Council Meeting Agenda
LeMond Community Center, 110 E Stevenson, Hale Center, TX 79041
7:00 P.M. – Tuesday – September 8, 2020

IN ACCORDANCE WITH ORDER OF THE OFFICE OF THE GOVERNOR ISSUED MARCH 13, 2020, THE CITY COUNCIL OF THE CITY OF HALE CENTER, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR SEPTEMBER 8, 2020, 7:00 P.M., AT LeMOND COMMUNITY CENTER – IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS (ALSO CALLED “SOCIAL DISTANCING”) TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19), THERE WILL BE LIMITED PUBLIC ACCESS TO THE LOCATION DESCRIBED ABOVE. THIS MEETING AGENDA AND THE AGENDA PACKET, ARE POSTED ONLINE AT <http://www.cityofhalecenter.com/PUBLIC-NOTICE.html>

A. CALL TO ORDER / WELCOME GUESTS / PLEDGE OF ALLEGIANCE / INVOCATION

- B. PUBLIC COMMENT:** 1) Members of the public who wish to submit Public Comment on agenda items must send their written comments via email to cityhall@cityofhalecenter.com by noon September 8, 2020. The subject must be in the following format: “Public Comment, [item number] – September 8, 2020.” All emails must include your name and addresses. You can call 806-839-2411 for staff assistance. An opportunity for the public to address the City Council on any subject not on the Agenda. In accordance with the Texas Open Meetings Act, the City Council may not discuss issues or make any decision at this time. Issues raised may be referred to City staff for research and possible future action.

- 2) Public Hearing on Tax Rate of .6200 per \$100 property valuation for Tax Year 2020

C. CONSENT AGENDA

- 1) Approve minutes of Regular Council Meeting 08/04/2020 and of Special Council Meeting 08/10/2020
- 2) Approve monthly department report(s): (a) Police Department (b) Municipal Court (c) Water/Sewer/Street/Parks/Animal Control/Building Inspector (d) Hale Center EDC (e) Hale Center EMS (f) Hale Center Library (g) Hale Center Vol Fire Dept (h) Hale Center Senior Citizen-disperse at meeting
- 3) Review and approve financial reports for August 2020

D. REGULAR AGENDA

- 1) Approve Chief of Police appointment of appointed Reserve Officer
- 2) Approve budget request for a two-way handheld radio - Police Department
- 3) Review and/or continue Curfew Ordinance
- 4) Approve or reject Resolution annual RRM rate increase for Atmos West Texas
- 5) Approve Park Wells and Mine Ordinance 20200908A
- 6) Approve Tax Ordinance 20200908B setting Tax Rate of .6200/\$100 property valuation for Tax Year 2020
- 7) Consider amending Personnel Policy for employee work hours and Certificate Pay
- 8) Discuss and respond to COVID-1
- 9) Approve Resolution designating Abernathy Advocate as Hale Center City official newspaper
- 10) Discuss a possible amendment to the Golf Cart Ordinance
- 11) Discuss ordinance regulating all-terrain vehicle(s)(ATV) and other non-registered motor vehicles within the city limits
- 12) City Manager Administrative Report
 - a. Sealcoat delay
 - b. Update on LeMond
 - c. Update on Caudle Lake Park Grant
 - d. Codification details
 - e. Marquee discussion

- 12) Consider items to be placed on City Council meeting agenda for 10/13/2020 city council meeting

E. ADJOURNMENT

POSTED:_____TIME:_____

ATTEST:_____

The Council may enter closed session at any time during the meeting in accordance with the Open Meetings Act, Gov. Code 551. This meeting is also being conducted in accordance with the Disabilities Act (42 U.S.C. of 1991). The facility where the meeting is held is wheelchair accessible and handicapped parking is available. Other handicapped services are available upon request if received at least 48 hours prior to the meeting.

Statements required in notice if the proposed tax rate does not exceed the lower of the no-new-revenue tax rate or the voter-approval tax rate, as prescribed by Tax Code §26.061.

NOTICE OF MEETING TO VOTE ON TAX RATE

A tax rate of \$ 0.6200 per \$100 valuation has been proposed by the governing body of
the City of Hale Center

| | | |
|-------------------------|------------------|-----------|
| PROPOSED TAX RATE | \$ <u>0.6200</u> | per \$100 |
| NO-NEW-REVENUE TAX RATE | \$ <u>0.6492</u> | per \$100 |
| VOTER-APPROVAL TAX RATE | \$ <u>0.6360</u> | per \$100 |

The no-new-revenue tax rate is the tax rate for the 2020 tax year that will raise the same amount
(current tax year)
of property tax revenue for the City of Hale Center from the same properties in both
(name of taxing unit)
the 2019 tax year and the 2020 tax year.
(preceding tax year) (current tax year)

The voter-approval rate is the highest tax rate that the City of Hale Center may adopt without holding
(name of taxing unit)
an election to seek voter approval of the rate.

The proposed tax rate is not greater than the no-new-revenue tax rate. This means that the City of Hale Center is not
(name of taxing unit)
proposing to increase property taxes for the 2020 tax year.
(current tax year)

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 8, 2020
(date and time)
at the LeMond Center, 110 E. Stevenson, Hale Center, TX 79041
(meeting place)

The proposed tax rate is also not greater than the voter-approval tax rate. As a result, the City of Hale Center is not
(name of taxing unit)
required to hold an election to seek voter approval of the rate. However, you may express your support for or opposition to the
proposed tax rate by contacting the City Council of the City of Hale Center at their
(name of governing body) (name of taxing unit)
offices or by attending the public meeting mentioned above.

YOUR TAXES OWED UNDER ANY OF THE TAX RATES MENTIONED ABOVE CAN BE CALCULATED AS FOLLOWS:

$$\text{Property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

(List names of all members of the governing body below, showing how each voted on the proposal to consider the tax increase or, if one or more were absent, indicating absences.)

FOR the proposal: Janet Peoples, Richard Castillo, Christine Reyna, Mario Martinez, Karen Boyce

AGAINST the proposal: N/A

PRESENT and not voting: N/A

ABSENT: N/A

The 86th Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by the City of Hale Center last year
(name of taxing unit)
to the taxes proposed to be imposed on the average residence homestead by the City of Hale Center this year.
(name of taxing unit)

| | 2019 | 2020 | Change |
|--|--|--|--|
| Total tax rate (per \$100 of value) | 2019 adopted tax rate | 2020 proposed tax rate | (Increase/Decrease) of (nominal difference between tax rate for preceding year and proposed tax rate for current year) per \$100, or (percentage difference between tax rate for preceding year and proposed tax rate for current year)% |
| Average homestead taxable value | 2019 average taxable value of residence homestead | 2020 average taxable value of residence homestead | (Increase/Decrease) of (percentage difference between average taxable value of residence homestead for preceding year and current year)% |
| Tax on average homestead | 2019 amount of taxes on average taxable value of residence homestead | 2020 amount of taxes on average taxable value of residence homestead | (Increase/Decrease) of (nominal difference between amount of taxes imposed on the average taxable value of a residence homestead in the preceding year and the amount of taxes proposed on the average taxable value of a residence homestead in the current year), or (percentage difference between taxes imposed for preceding year and taxes proposed for current year)% |
| Total tax levy on all properties | 2019 levy | (2020 proposed rate x current total value)/100 | (Increase/Decrease) of (nominal difference between preceding year levy and proposed levy for current year), or (percentage difference between preceding year levy and proposed levy for current year)% |

(If the tax assessor for the taxing unit maintains an internet website)

For assistance with tax calculations, please contact the tax assessor for the City of Hale Center
(name of taxing unit)
at 806-293-4226 or chiefappr@sbcglobal.net, or visit http://halecad.org/
(telephone number) (email address) (internet website address)
for more information.

(If the tax assessor for the taxing unit does not maintain an internet website)

For assistance with tax calculations, please contact the tax assessor for the City of Hale Center
(name of taxing unit)
at 806-293-4226 or chiefappr@sbcglobal.net
(telephone number) (email address)

City of Hale Center Special City Council Meeting Minutes
Tuesday, August 10, 2020

Attendance: Mayor W.H. Johnson, Councilmembers: Mayor Pro-Tem Janet Peoples, Richard Castillo, Christine Reyna, Mario Martinez
Absent: Karen Boyce

Others Present: City Manager, Mike Cypert; City Secretary, Patricia Isaguirre; City Attorney, Lanny Voss; Hale Center News, Dee Rice; Parkhill Smith and Cooper Engineers, Kyle Krueger

Mayor W.H. Johnson called meeting to order at 5:36 pm with a quorum present. The Pledge of Allegiance was led by Mayor Johnson and the invocation was given by City Secretary Isaguirre.

PUBLIC COMMENT: No one was present for public comment.

Presentation by Kyle Krueger with Parkhill Smith and Cooper Engineers. Kyle reviewed: The current well production and pump rate(s) from existing wells; current water storage; current pump station; current system usage; pump station option(s). Discussed Pros and Cons about removal of downtown pump station storage; capacities and requirements of pump station(s) and wells; advantages of removing downtown pump station and GWST.

Then Kyle discussed recommendations: TCEQ approval required – engineering report due to “change in storage volume”; emergency power on strategic locations; increased monitoring and operations through SCADA that will increase data and allows for proactive decisions on water system. There will be decreased “hands-on” operations allowing staff to focus on maintenance. New meters on wells and update well flow rates; VDS’s on pump station pumps will save in electrical usage, will save in water hammer related leaks and increase operational flexibility of system.

The city council scheduled a meeting for August 14 at 12:15pm to take action with an official vote on whether to continue with the GWST project and spend \$890,000.00 or approve the recommendation as presented by Kyle Krueger and save the expense.

Mayor Johnson adjourned the meeting at 6:32 p.m.

Signed this _____ day of _____, 2020

W.H. Johnson, Mayor

Patricia Isaguirre, TRMC, City Secretary

City of Hale Center Special City Council Meeting Minutes
Friday, August 14, 2020

Attendance: Mayor W.H. Johnson, Councilmembers: Mayor Pro-Tem Janet Peoples, Richard Castillo, Christine Reyna, Mario Martinez, Karen Boyce
Others Present: City Manager, Mike Cypert; City Secretary, Patricia Isaguirre; Public Works Director, Johnny Ruiz; Hale Center News, Dee Rice

Mayor W.H. Johnson called meeting to order at 12:15 pm with a quorum present. The Pledge of Allegiance was led by Mayor Johnson and the invocation was given by City Manager Cypert.

Councilperson Martinez made a motion and Councilperson Reyna seconded to reject construction bids received for the USDA Groundwater Storage Tank project advertised Pursuant to Loan Resolution to obtain \$432,000 loan funding from USDA adopted by City Council on December 23, 2019. Motion passed unanimously.

Councilperson Reyna made a motion and Councilperson Boyce seconded to discontinue USDA Groundwater Storage Tank project and related bond-secured loan of \$432,000 from United States Department of Agriculture, and authorize City Manager to make written notification as required to USDA of Council action. Motion passed unanimously.

Councilperson Martinez made a motion and Councilperson Castillo seconded to proceed with municipal water system upgrades in lieu of USDA financed Groundwater Storage Tank project pursuant to Water system Assessment report presented to City Council by Kyle Krueger, Professional Engineer, Associate with Parkhill, Smith & Cooper Engineering in City Council meeting on August 10, 2020. Motion passed unanimously.

Councilperson Boyce made a motion and Councilperson Martinez seconded to authorize Mayor W. H. Johnson and City Manager Mike Cypert to enter into contract on behalf of City with Parkhill, Smith & Cooper to prepare engineering report for submission to Texas Commission on Environment Quality due to change in City water storage volume resulting from proposed municipal water system upgrades including construction of raw water line, as alternative to groundwater storage tank construction project. Motion passed unanimously.

Councilperson Reyna made a motion and Councilperson Castillo seconded to adopt Resolution authorizing submission of a grant application to Texas Parks and Wildlife under the local park grant program, and authorize City Manager Cypert to complete grant application and supporting documentation for submission to TPWD. Motion passed unanimously.

Mayor Johnson adjourned the meeting at 12:19 p.m.

Signed this _____ day of _____, 2020

W.H. Johnson, Mayor

Patricia Isaguirre, TRMC, City Secretary

City of Hale Center
Municipal Court Council Report
From 8/1/2020 to 8/31/2020

9/3/2020 11:39 AM

Violations by Type

| Traffic | Penal | City Ordinance | Parking | Other | Total |
|---------|-------|----------------|---------|-------|-------|
| 16 | 2 | 2 | 0 | 4 | 24 |

Financial

| State Fees | Court Costs | Fines | Tech Fund | Building Security | Total |
|------------|-------------|----------|-----------|-------------------|------------|
| \$483.86 | \$197.21 | \$382.33 | \$21.49 | \$24.21 | \$1,109.10 |

Warrants

| Issued | Served | Closed | Total |
|--------|--------|--------|-------|
| 0 | 0 | 4 | 4 |

FTAs/NPTAs

| FTAs | VPTAs | Total |
|------|-------|-------|
| 0 | 0 | 0 |

Dispositions

| Paid | Non-Cash Credit | Dismissed | Driver Safety | Deferred | Total |
|------|-----------------|-----------|---------------|----------|-------|
| 11 | 0 | 1 | 0 | 0 | 12 |

Trials & Hearings

| Jury | Bench | Appeal | Total |
|------|-------|--------|-------|
| 0 | 0 | 0 | 0 |

Omni/Scofflaw/Collection

| Omni | Scofflaw | Collections | Total |
|------|----------|-------------|-------|
| 0 | 0 | 0 | 0 |

HALE CENTER ECONOMIC DEVELOPMENT CORPORATION

Revenue and Expense for 07/01/20 through 08/31/20

VISTA BANK CHECKING ACCOUNT 05116937

| | |
|--|------------|
| 06/30/20 | 90,994.62 |
| REVENUE/RECEIPTS | |
| Sales Tax Payment for July | 3,297.88 |
| Sales Tax Payment for August | 3,969.45 |
| TOTAL RECEIPTS | 7,267.33 |
| EXPENSES | .00 |
| TOTAL EXPENSES | .00 |
| Checking Account Balance 08/31/20 | 98,261.95 |
| CERTIFICATE OF DEPOSIT VISTA BANK 06/30/20 | 101,313.32 |
| Interest paid July 2020 | 58.13 |
| Interest paid August 2020 | 60.10 |
| VALUE OF CERTIFICATE OF DEPOSIT 06/30/20 | 101,431.55 |
| TOTAL HOLDINGS 08/31/20 | 199,693.50 |

August 2020

[illegible]

HALECENTER

Unit Responses by Incident

Alarm Date Between {08/01/2020} And {08/31/2020}

| Unit | Response Code | Notified | Arrival | Reaction | Response | F M R O |
|---|---------------|-----------------------|----------|-----------------------|----------|---------|
| 20-0000028 08/02/202011:06:00 | | | | | | |
| 143 Grass fire | | | | | | |
| Way Road and County Road 185 | | | | | | |
| TRUCK1 Brush Truck | | 11:06:00 | 11:18:00 | 00:00:00 | 00:12:00 | X |
| GRASS2 Brush Truck | | 11:06:00 | 11:18:00 | 00:00:00 | 00:12:00 | X |
| TRUCK6 Brush Truck | | 11:06:00 | 11:18:00 | 00:00:00 | 00:12:00 | X |
| Responses: 3 | | | | | | |
| | | <u>Reaction Times</u> | | <u>Response Times</u> | | |
| | | Average | 00:00:00 | Average | 00:12:00 | |
| | | Lowest | 00:00:00 | Lowest | 00:12:00 | |
| | | Highest | 00:00:00 | Highest | 00:12:00 | |
| 20-0000029 08/28/202013:24:00 | | | | | | |
| 143 Grass fire | | | | | | |
| Exit 32 west service road | | | | | | |
| P.O.V. Personal Owned Vehicle | | 13:24:00 | 13:34:00 | 00:00:00 | 00:10:00 | X |
| TRUCK1 Brush Truck | | 13:24:00 | 13:34:00 | 00:00:00 | 00:10:00 | X |
| Responses: 2 | | | | | | |
| | | <u>Reaction Times</u> | | <u>Response Times</u> | | |
| | | Average | 00:00:00 | Average | 00:10:00 | |
| | | Lowest | 00:00:00 | Lowest | 00:10:00 | |
| | | Highest | 00:00:00 | Highest | 00:10:00 | |
| 20-0000030 08/30/202001:31:00 | | | | | | |
| 352 Extrication of victim(s) from vehicle | | | | | | |
| I-27 Exit 31 | | | | | | |
| TRUCK1 Brush Truck | | 01:31:00 | 01:39:00 | 00:00:00 | 00:08:00 | X |
| TRUCK6 Brush Truck | | 01:31:00 | 01:39:00 | 00:00:00 | 00:08:00 | X |
| P.O.V. Personal Owned Vehicle | | 01:31:00 | 01:39:00 | 00:00:00 | 00:08:00 | X |
| Responses: 3 | | | | | | |
| | | <u>Reaction Times</u> | | <u>Response Times</u> | | |
| | | Average | 00:00:00 | Average | 00:08:00 | |
| | | Lowest | 00:00:00 | Lowest | 00:08:00 | |
| | | Highest | 00:00:00 | Highest | 00:08:00 | |

**CITY OF HALE CENTER
HALE CENTER, TEXAS
MONTHLY REPORT OF BANK BALANCES
September 1, 2020**

Bank Account Balances

(Demand Deposits)

24.98%

| | | | |
|---------------------|---------|-------|---------------------|
| Operational Account | 0502219 | 0.05% | \$88,619.89 |
| EFT/ACH Account | 7018764 | 0% | \$1.00 |
| Water 2060 I&S MMA | 7018664 | 0.05% | \$10,502.37 |
| FAST Grant Acct | 7018756 | | \$1.00 |
| USDA Construction | 7018669 | 0% | Closed |
| Back the Blue | 7018059 | 0% | \$1,754.28 |
| PD Training | 7018804 | | \$796.29 |
| Total | | | \$101,674.83 |

Schedule of Investments

(Time Deposits)

75.02%

| Budget | Fund | Account | Origin | Date | Current | Length | Original | Current Value |
|------------------------|------|---------|--------|---------|---------|---------|---------------------|---------------------|
| Certificate of Deposit | | 6318810 | | 2/19/16 | 1.65% | 3 Month | \$100,000.00 | \$101,884.10 |
| Certificate of Deposit | | 6324212 | | 11/9/16 | 1.65% | 6 Month | \$150,000.00 | \$152,567.05 |
| Certificate of Deposit | | 6328563 | | 3/21/18 | 2.00% | 6 Month | \$50,000.00 | \$50,869.91 |
| Totals | | | | | | | \$300,000.00 | \$305,321.06 |

| | |
|-----------------------------------|---------------------|
| Total Cash Accounts | \$101,674.83 |
| Total Investments | \$305,321.06 |
| Total Cash and Investments | \$406,995.89 |



Mike Cypert
City Manager

This report complies with the City's Investment Policy and all federal, state, and local statutes, rules, or regulations.

| Account | Description | Budget | MTD | YTD | Variance | % |
|------------------------|--------------------------------|--------------|-----------|------------|------------|--------|
| Operating Revenues | | | | | | |
| 014007 | Ad Valorem Taxes | 264,811.00 | 3,618.85 | 268,849.22 | -4,038.22 | 101.52 |
| 014014 | Ad Valorem Tax Discounts | -4,000.00 | | -3,057.96 | -942.04 | 76.45 |
| 014021 | Ad Valorem P&I | 5,000.00 | 436.42 | 4,714.31 | 285.69 | 94.29 |
| 014028 | Delinquent Ad Valorem Taxes | 11,000.00 | 985.65 | 14,496.79 | -3,496.79 | 131.79 |
| 014035 | Delinquent Ad Valorem P&I | 5,000.00 | 730.71 | 6,340.28 | -1,340.28 | 126.81 |
| 014042 | Sales Tax | 83,333.00 | 7,938.89 | 71,838.04 | 11,494.96 | 86.21 |
| 014049 | Sales Tax EDC | 41,667.00 | 3,969.45 | 14,661.14 | 27,005.86 | 35.19 |
| 014056 | Franchise Fees | 105,000.00 | 11,715.14 | 96,018.95 | 8,981.05 | 91.45 |
| 014063 | Permits | 5,000.00 | 1,720.30 | 6,161.70 | -1,161.70 | 123.23 |
| 014070 | Food Permits | 800.00 | | 810.00 | -10.00 | 101.25 |
| 014077 | Notary Fees | 100.00 | | 30.00 | 70.00 | 30.00 |
| 014084 | Interest Income | 135.00 | 5.11 | 19.86 | 115.14 | 14.71 |
| 014091 | Copies | 20.00 | | 2.25 | 17.75 | 11.25 |
| 014098 | Animal Control Fees | 3,000.00 | 50.00 | -239.96 | 3,239.96 | -8.00 |
| 014105 | Misc. Income | 6,945.00 | 7.07 | 2,130.27 | 4,814.73 | 30.67 |
| 014112 | Leases and Rents | 10,000.00 | | 6,787.88 | 3,212.12 | 67.88 |
| 014119 | Sanitation Charges | 160,000.00 | 13,382.00 | 145,180.88 | 14,819.12 | 90.74 |
| 014126 | Landfill Fees | 45,000.00 | 3,981.00 | 43,173.12 | 1,826.88 | 95.94 |
| 014133 | Recycling Income | 200.00 | 45.60 | 69.00 | 131.00 | 34.50 |
| 014140 | Mosquito Spray Fees | 9,000.00 | 793.00 | 8,567.25 | 432.75 | 95.19 |
| 014147 | Sale of Property | 5,000.00 | | 35,765.29 | -30,765.29 | 715.31 |
| 014154 | Municipal Court Fees | 100,000.00 | 1,151.17 | 33,555.84 | 66,444.16 | 33.56 |
| 014161 | Court Technology Fees | | 21.93 | 176.12 | -176.12 | |
| 014168 | Court Security Fees | | 19.00 | 87.50 | -87.50 | |
| 014175 | Transfer From Water Fund | 141,195.00 | | 23,532.50 | 117,662.50 | 16.67 |
| | | ----- | ----- | ----- | ----- | ----- |
| | Operating Revenues | 998,206.00 | 50,571.29 | 779,670.27 | 218,535.73 | 78.11 |
| Non-Operating Revenues | | | | | | |
| 014401 | Insured Claims | | 1,009.03 | 15,558.03 | -15,558.03 | |
| 014407 | TP&W Trails Grant | 84,091.00 | | | 84,091.00 | |
| 014408 | TDA-Planning Grant | | | 44,430.00 | -44,430.00 | |
| 014414 | FAST Grant | 471,808.00 | | | 471,808.00 | |
| | | ----- | ----- | ----- | ----- | ----- |
| | Non-Operating Revenues | 555,899.00 | 1,009.03 | 59,988.03 | 495,910.97 | 10.79 |
| | | ----- | ----- | ----- | ----- | ----- |
| | Total Revenue | 1,554,105.00 | 51,580.32 | 839,658.30 | 714,446.70 | 54.03 |
| | TOTAL REVENUE | 1,554,105.00 | 51,580.32 | 839,658.30 | 714,446.70 | |
| Administration | | | | | | |
| 015007 | Appraisal Dist. Exp. | 5,000.00 | 443.44 | 5,563.89 | -563.89 | 111.28 |
| 015014 | Accounting | 8,000.00 | | 9,412.50 | -1,412.50 | 117.66 |
| 015021 | Attorney Fees | 5,000.00 | | 3,695.03 | 1,304.97 | 73.90 |
| 015028 | Legal Publications | 4,000.00 | 70.20 | 936.50 | 3,063.50 | 23.41 |
| 015042 | Dues, Registrations & Meetings | 19,500.00 | | 11,594.46 | 7,905.54 | 59.46 |
| 015049 | Office Supplies | 5,300.00 | 71.49 | 3,620.33 | 1,679.67 | 68.31 |
| 015056 | Postage | 1,000.00 | 78.61 | 977.44 | 22.56 | 97.74 |
| 015070 | Equipment Leasing / Maint. | 3,885.00 | 359.52 | 3,782.65 | 102.35 | 97.37 |

| Account | Description | Budget | MTD | YTD | Variance | % |
|---------|--------------------------------|------------|-----------|------------|------------|--------|
| 015077 | Misc. Expense | 5,450.00 | 90.00 | 2,014.38 | 3,435.62 | 36.96 |
| | Administration | 57,135.00 | 1,113.26 | 41,597.18 | 15,537.82 | 72.81 |
| | Nondepartmental | | | | | |
| 015203 | EMS Contract | 48,000.00 | 4,000.00 | 44,000.00 | 4,000.00 | 91.67 |
| 015210 | Fire Dept. Contract | 9,900.00 | 825.00 | 9,075.00 | 825.00 | 91.67 |
| 015217 | Library Contract | 4,800.00 | 450.00 | 4,950.00 | -150.00 | 103.12 |
| 015224 | Sr. Citizens Contract | 6,000.00 | 500.00 | 5,500.00 | 500.00 | 91.67 |
| 015231 | Civil Defense | 5,000.00 | | 623.50 | 4,376.50 | 12.47 |
| 015238 | Hale Center EDC | 41,666.00 | 3,969.45 | 14,661.14 | 27,004.86 | 35.19 |
| 015245 | EMS Bld. Maint. | | | 81.00 | -81.00 | |
| 015252 | Fire Bld. Maint. | | | 476.00 | -476.00 | |
| 015259 | City Hall Bld. Maint. | 5,000.00 | 165.98 | 165.98 | 4,834.02 | 3.32 |
| 015266 | LeMond Bld. Maint | | | 209.64 | -209.64 | |
| 015280 | Bulding Inspection Fees | 1,000.00 | 375.00 | 1,350.00 | -350.00 | 135.00 |
| 015287 | General Insurance | 16,800.00 | | 13,772.25 | 3,027.75 | 81.98 |
| 015294 | Utilities - Gas and Elect. | 16,800.00 | 478.54 | 14,491.07 | 2,308.93 | 86.26 |
| 015301 | Telephone/Internet | 5,300.00 | 286.08 | 4,512.73 | 787.27 | 85.15 |
| 015308 | Software / IT | 7,250.00 | 2,591.86 | 10,625.26 | -3,375.26 | 146.56 |
| 015315 | Contract Labor | 3,000.00 | | 3,500.00 | -500.00 | 116.67 |
| 015322 | Contract Labor - Housekeeping | 4,500.00 | | 747.75 | 3,752.25 | 16.62 |
| 015329 | Pest Control | 1,100.00 | 55.00 | 550.00 | 550.00 | 50.00 |
| 015336 | Transfer to Capital Reserve | 31,714.00 | | | 31,714.00 | |
| 015343 | Capital Outlay - Fire | 476,808.00 | | | 476,808.00 | |
| 015344 | 19-20 Planning Grant | | | 51,095.00 | -51,095.00 | |
| 015345 | Insured Repairs | | 9,308.03 | 18,076.38 | -18,076.38 | |
| | Nondepartmental | 684,638.00 | 23,004.94 | 198,462.70 | 486,175.30 | 28.99 |
| | Legislative | | | | | |
| 015378 | Dues Registrations & Meetings | 10,100.00 | | 3,636.11 | 6,463.89 | 36.00 |
| 015385 | Election Expense | 3,000.00 | | | 3,000.00 | |
| 015392 | Council Stipends | 2,400.00 | | 2,400.00 | | 100.00 |
| | Legislative | 15,500.00 | | 6,036.11 | 9,463.89 | 38.94 |
| | Judicial | | | | | |
| 015406 | Dues, Registrations & Training | 2,000.00 | -200.00 | 1,300.00 | 700.00 | 65.00 |
| 015413 | State Traffic Fees | 40,000.00 | | 10,466.13 | 29,533.87 | 26.17 |
| 015420 | Prosecutor Fees | 2,500.00 | | 363.99 | 2,136.01 | 14.56 |
| 015427 | IT/Software | | | 750.00 | -750.00 | |
| | Judicial | 44,500.00 | -200.00 | 12,880.12 | 31,619.88 | 28.94 |
| | Police | | | | | |
| 015455 | Dues, Registrations & Training | 1,750.00 | | 500.00 | 1,250.00 | 28.57 |
| 015462 | Uniforms | 1,300.00 | 155.99 | 935.05 | 364.95 | 71.93 |
| 015469 | Mobile Phone Expense | | 188.74 | 532.37 | -532.37 | |
| 015483 | Supplies & Equipment | 5,000.00 | | 6,075.34 | -1,075.34 | 121.51 |

| Account | Description | Budget | MTD | YTD | Variance | % |
|---------|-----------------------------|--------------|-----------|------------|------------|--------|
| 015490 | Vehicle Fuel | 13,000.00 | 1,113.38 | 12,463.73 | 536.27 | 95.87 |
| 015497 | Vehicle Maint. | 20,580.00 | 209.23 | 6,459.56 | 14,120.44 | 31.39 |
| 015504 | Misc. Expense | 2,025.00 | 32.85 | 112.77 | 1,912.23 | 5.57 |
| | | ----- | ----- | ----- | ----- | ----- |
| | Police | 43,655.00 | 1,700.19 | 27,078.82 | 16,576.18 | 62.03 |
| | Streets | | | | | |
| 015532 | Sealcoat Project | 50,000.00 | | 8,141.88 | 41,858.12 | 16.28 |
| 015539 | Engineering - Sealcoat | | | 6,609.33 | -6,609.33 | |
| 015553 | Utilities - Street Lighting | 27,000.00 | 2,129.20 | 25,213.71 | 1,786.29 | 93.38 |
| 015560 | Street Base Materials | | 400.00 | 2,320.26 | -2,320.26 | |
| 015574 | Equipment Maint. | 11,490.00 | | 7,420.46 | 4,069.54 | 64.58 |
| 015581 | Weed Control | 3,500.00 | | 1,038.70 | 2,461.30 | 29.68 |
| | | ----- | ----- | ----- | ----- | ----- |
| | Streets | 91,990.00 | 2,529.20 | 50,744.34 | 41,245.66 | 55.16 |
| | Parks | | | | | |
| 015609 | City Park Maint. | 7,250.00 | | 3,249.64 | 4,000.36 | 44.82 |
| 015616 | Grant Expense - TPW | 84,091.00 | | 59,619.44 | 24,471.56 | 70.90 |
| 015623 | Utilities - Parks | | 430.98 | 1,902.83 | -1,902.83 | |
| | | ----- | ----- | ----- | ----- | ----- |
| | Parks | 91,341.00 | 430.98 | 64,771.91 | 26,569.09 | 70.91 |
| | Sanitation | | | | | |
| 015651 | Contracted Alley Service | 141,500.00 | 34,394.85 | 137,279.40 | 4,220.60 | 97.02 |
| 015658 | Transfer Station Disposal | 12,500.00 | 3,832.08 | 99,019.08 | -86,519.08 | 792.15 |
| 015665 | Plainview Recycle Prog. | 300.00 | | | 300.00 | |
| 015672 | Tire Recycling | 1,200.00 | | | 1,200.00 | |
| 015679 | Vector Control (Mosq.) | 5,000.00 | | | 5,000.00 | |
| 015686 | Animal Control | 2,500.00 | | 1,758.78 | 741.22 | 70.35 |
| | | ----- | ----- | ----- | ----- | ----- |
| | Sanitation | 163,000.00 | 38,226.93 | 238,057.26 | -75,057.26 | 146.05 |
| 016001 | Non-Budgeted Expense | | | | | |
| | 19-20 Hustler Mower | | | 8,543.54 | -8,543.54 | |
| | | ----- | ----- | ----- | ----- | ----- |
| | Non-Budgeted Expense | | | 8,543.54 | -8,543.54 | |
| | | ----- | ----- | ----- | ----- | ----- |
| | Total Operating Expense | 1,191,759.00 | 66,805.50 | 648,171.98 | 543,587.02 | 54.39 |
| | Payroll | | | | | |
| 017007 | Administrative Payroll | 142,618.00 | 6,707.70 | 122,882.43 | 19,735.57 | 86.16 |
| 017014 | Police Payroll | 142,895.00 | 11,243.40 | 124,654.23 | 18,240.77 | 87.23 |
| 017021 | Judicial Payroll | 10,622.00 | 1,129.84 | 10,821.71 | -199.71 | 101.88 |
| 017028 | Sanitation Payroll | | 581.76 | 2,040.20 | -2,040.20 | |
| 017035 | TML - Admin | 11,163.00 | | 6,745.19 | 4,417.81 | 60.42 |
| 017042 | TML - Police | 14,561.00 | | 13,791.69 | 769.31 | 94.72 |
| 017056 | TMRS - Admin | 2,870.00 | 686.87 | 4,592.27 | -1,722.27 | 160.01 |
| 017063 | TMRS - Police | 2,891.00 | 1,249.18 | 5,144.37 | -2,253.37 | 177.94 |
| 017070 | TMRS - Judicial | 233.00 | | 252.95 | -19.95 | 108.56 |
| 017077 | TWC - Admin | 279.00 | | 51.29 | 227.71 | 18.38 |
| 017084 | TWC - Police | 270.00 | | 70.13 | 199.87 | 25.97 |
| 017091 | TWC - Judicial | | | 87.22 | -87.22 | |
| 017098 | TWC - Sanitation | | | 39.95 | -39.95 | |

9/1/2020

Fund Accounting

Period:Yr 20 Pd 11

City of Hale Center

Page: 4

Title: Actual vrs Budget - Period 11

Date: 09/01/2020 6:26 AM

Fund: 01, General Fund

| Account | Description | Budget | MTD | YTD | Variance | % |
|---------|------------------------|------------|------------|-------------|------------|-----------|
| 017105 | Workmans Comp | 7,800.00 | | 6,426.00 | 1,374.00 | 82.38 |
| 017175 | HR Expense | | 75.00 | 75.00 | -75.00 | |
| 017600 | Payroll Tax (FICA) | 21,822.00 | 1,534.23 | 23,140.33 | -1,318.33 | 106.04 |
| | | ----- | ----- | ----- | ----- | ----- |
| | Payroll | 358,024.00 | 23,207.98 | 320,814.96 | 37,209.04 | 89.61 |
| | | ----- | ----- | ----- | ----- | ----- |
| | Total Payroll Expense | 358,024.00 | 23,207.98 | 320,814.96 | 37,209.04 | 89.61 |
| | | ----- | ----- | ----- | ----- | ----- |
| | * CURRENT YEAR SURPLUS | 4,322.00 | -38,433.16 | -129,328.64 | 133,650.64 | -2,992.33 |
| | | ===== | ===== | ===== | ===== | ===== |

9/1/2020

Fund Accounting

Period:Yr 20 Pd 11

City of Hale Center

Title: Actual vrs Budget - Period 11

Page: 1

Fund: 02, Water Fund

Date: 09/01/2020 6:26 AM

| Account | Description | Budget | MTD | YTD | Variance | % |
|---------|-------------------------------|--------------|-----------|------------|------------|--------|
| | Operating Revenues | | | | | |
| 024007 | Metered Water Sales | 500,000.00 | 40,313.08 | 520,747.12 | -20,747.12 | 104.15 |
| 024014 | Sewer Service Sales | 140,000.00 | 12,470.50 | 165,957.73 | -25,957.73 | 118.54 |
| 024021 | Late Fees | 20,000.00 | 1,804.55 | 28,473.29 | -8,473.29 | 142.37 |
| 024028 | Returned Check Fees | 250.00 | | 125.00 | 125.00 | 50.00 |
| 024035 | ACH/CC Processing Fees | | 555.00 | 2,509.00 | -2,509.00 | |
| 024056 | Reconnection Fees | 5,000.00 | 525.00 | 10,767.91 | -5,767.91 | 215.36 |
| 024063 | Water Tap Fees | 500.00 | 500.00 | 2,700.00 | -2,200.00 | 540.00 |
| 024070 | Misc. Income | 3,500.00 | | 1,904.00 | 1,596.00 | 54.40 |
| 024084 | Employee Discount | -13,650.00 | | 1,828.07 | -15,478.07 | -13.39 |
| 024200 | Returns / Overread / Adj. | | -2,710.46 | -14,266.31 | 14,266.31 | |
| | | ----- | ----- | ----- | ----- | ----- |
| | Operating Revenues | 655,600.00 | 53,457.67 | 720,745.81 | -65,145.81 | 109.94 |
| | Non-Operating Revenues | | | | | |
| 024407 | USDA Bond Proceeds | 432,000.00 | | | 432,000.00 | |
| 024414 | Transfers From Other Funds | 17,450.00 | | | 17,450.00 | |
| | | ----- | ----- | ----- | ----- | ----- |
| | Non-Operating Revenues | 449,450.00 | | | 449,450.00 | |
| | | ----- | ----- | ----- | ----- | ----- |
| | Total Revenue | 1,105,050.00 | 53,457.67 | 720,745.81 | 384,304.19 | 65.22 |
| | TOTAL REVENUE | 1,105,050.00 | 53,457.67 | 720,745.81 | 384,304.19 | |
| | Administration | | | | | |
| 025007 | Accounting | 8,200.00 | | 9,412.50 | -1,212.50 | 114.79 |
| 025014 | Attorney Fees | 6,000.00 | | 3,695.03 | 2,304.97 | 61.58 |
| 025028 | ACH/CC Expense | | 493.20 | 493.20 | -493.20 | |
| 025042 | Office Supplies | 5,100.00 | 69.38 | 2,768.85 | 2,331.15 | 54.29 |
| 025049 | Postage | 5,400.00 | 69.65 | 4,518.35 | 881.65 | 83.67 |
| 025063 | Equipment Leasing / Maint. | 900.00 | 211.25 | 1,112.00 | -212.00 | 123.56 |
| 025070 | Misc. Expense | 1,000.00 | | 778.72 | 221.28 | 77.87 |
| | | ----- | ----- | ----- | ----- | ----- |
| | Administration | 26,600.00 | 843.48 | 22,778.65 | 3,821.35 | 85.63 |
| | Nondepartmental | | | | | |
| 025112 | General Insurance | 15,000.00 | | 14,094.75 | 905.25 | 93.97 |
| 025119 | Utilities - Gas and Elect. | 3,500.00 | | 2,034.85 | 1,465.15 | 58.14 |
| 025126 | Telephone/Internet | 5,300.00 | 286.08 | 4,512.12 | 787.88 | 85.13 |
| 025133 | Software / IT | 12,800.00 | 420.56 | 7,977.98 | 4,822.02 | 62.33 |
| 025140 | Contract Labor - Housekeeping | 2,000.00 | | 747.74 | 1,252.26 | 37.39 |
| 025147 | Pest Control | 400.00 | 55.00 | 660.00 | -260.00 | 165.00 |
| 025168 | Transfer to General Fund | 141,195.00 | | 23,532.50 | 117,662.50 | 16.67 |
| 025175 | Transfer to Capital Reserve | 34,652.00 | | | 34,652.00 | |
| 025400 | Returned Check / Rejected ACH | | | -66.99 | 66.99 | |
| | | ----- | ----- | ----- | ----- | ----- |
| | Nondepartmental | 214,847.00 | 761.64 | 53,492.95 | 161,354.05 | 24.90 |

| Account | Description | Budget | MTD | YTD | Variance | % |
|---------|-------------------------------------|------------|------------|------------|-------------|--------|
| | Water / Sewer Maintenance | | | | | |
| 025560 | Dues, Registrations & Training | 13,200.00 | 34.62 | 7,640.04 | 5,559.96 | 57.88 |
| 025567 | Uniforms | 2,400.00 | | 2,004.49 | 395.51 | 83.52 |
| 025574 | Mobile Phone Expense | | 226.73 | 723.88 | -723.88 | |
| 025581 | Engineering Fees | 18,000.00 | 3,000.00 | 40,892.00 | -22,892.00 | 227.18 |
| 025595 | Production Utilities | 43,000.00 | 1,072.94 | 28,863.65 | 14,136.35 | 67.12 |
| 025602 | Lab Samples - Testing | 4,200.00 | 120.00 | 4,606.99 | -406.99 | 109.69 |
| 025616 | Vehicle & Equip. Fuel | 14,750.00 | 850.66 | 11,433.31 | 3,316.69 | 77.51 |
| 025623 | Vehicle Maint. | | 66.77 | 289.41 | -289.41 | |
| 025630 | Equip. Maint. | | 5,944.26 | 6,454.71 | -6,454.71 | |
| 025637 | Supplies | 9,000.00 | 295.58 | 1,378.74 | 7,621.26 | 15.32 |
| 025644 | Materials & Supplies | 10,000.00 | 431.77 | 8,753.54 | 1,246.46 | 87.54 |
| 025658 | Utility Repairs & Maint. | 57,250.00 | 2,657.36 | 42,903.86 | 14,346.14 | 74.94 |
| 025665 | Capital Outlay USDA Bond | 432,000.00 | | | 432,000.00 | |
| 025672 | Capital Improvements - Equip. | 6,500.00 | | 6,933.87 | -433.87 | 106.67 |
| | | ----- | ----- | ----- | ----- | ----- |
| | Water / Sewer Maintenance | 610,300.00 | 14,700.69 | 162,878.49 | 447,421.51 | 26.69 |
| | | | | | | |
| 026001 | Non-Budgeted Expense 19-20 SCADA | | 28,640.11 | 29,319.80 | -29,319.80 | |
| | | ----- | ----- | ----- | ----- | ----- |
| | Non-Budgeted Expense | | 28,640.11 | 29,319.80 | -29,319.80 | |
| | | ----- | ----- | ----- | ----- | ----- |
| | Total Operating Expense | 851,747.00 | 44,945.92 | 268,469.89 | 583,277.11 | 31.52 |
| | | | | | | |
| | Payroll | | | | | |
| 027007 | Administrative Payroll | 177,267.00 | 6,513.93 | 21,877.85 | 155,389.15 | 12.34 |
| 027014 | W/S Maint Payroll | | 11,974.48 | 163,579.45 | -163,579.45 | |
| 027021 | TML - Admin. | 22,812.00 | | 826.49 | 21,985.51 | 3.62 |
| 027028 | TML - Maint. | | | 6,074.49 | -6,074.49 | |
| 027035 | TMRS - Admin. | 3,494.00 | 670.94 | 1,501.31 | 1,992.69 | 42.97 |
| 027042 | TMRS - Maint. | | 1,222.64 | 6,216.62 | -6,216.62 | |
| 027049 | TWC - Admin. | 5,400.00 | | 51.57 | 5,348.43 | .95 |
| 027056 | TWC - Maint. | | | 312.64 | -312.64 | |
| 027063 | Workmans Comp | 2,989.00 | | 5,807.00 | -2,818.00 | 194.28 |
| 027600 | Payroll Tax Expense (FICA) | 13,561.00 | 1,414.36 | 15,709.27 | -2,148.27 | 115.84 |
| | | ----- | ----- | ----- | ----- | ----- |
| | Payroll | 225,523.00 | 21,796.35 | 221,956.69 | 3,566.31 | 98.42 |
| | | ----- | ----- | ----- | ----- | ----- |
| | Total Payroll Expense | 225,523.00 | 21,796.35 | 221,956.69 | 3,566.31 | 98.42 |
| | * CURRENT YEAR SURPLUS | 27,780.00 | -13,284.60 | 230,319.23 | -202,539.23 | 829.08 |
| | | ===== | ===== | ===== | ===== | ===== |

Period: Yr 20 Pd 11 to Yr 20 Pd 11

City of Hale Center

Page: 1

Title: Check Summary, Bank ID: 01, All Accounts

Date: 09/01/2020 6:29 AM

Format: Summary, All Accounts

| Check No. | Check Date | Period | Vendor No. | Invoice | Company | Amt Paid |
|-----------|------------|--------|------------|------------|-------------------------------------|----------|
| 46256 | 8/03/2020 | 2011 | GALLS | 016110874 | GALLS, LLC | 57.37 |
| 46257 | 8/03/2020 | 2011 | HC-EMS | AUG2020 | Hale Center EMS | 4000.00 |
| 46258 | 8/03/2020 | 2011 | HC-FD | AUG2020 | Hale Center Fire Dept. | 825.00 |
| 46259 | 8/03/2020 | 2011 | HC-LIB | AUG2020 | Hale Center Library | 450.00 |
| 46260 | 8/03/2020 | 2011 | HC-SC | AUG2020 | Hale Center Senior Citizens | 500.00 |
| 46261 | 8/03/2020 | 2011 | PARMNT | 5011300487 | Paramount Leasing INC | 284.00 |
| 46262 | 8/03/2020 | 2011 | TRPLC | 16171 | Triple C Waste Service, AR | 12821.33 |
| 46263 | 8/03/2020 | 2011 | VEXUS | 07262020 | VEXUS FIBER | 402.17 |
| 46264 | 8/03/2020 | 2011 | ZZ-RR | 08032020 | RAUL RUIZ | 234.00 |
| 46265 | 8/04/2020 | 2011 | NAIL | HC001 | NAIL CONSTRUCTION | 495.06 |
| 46266 | 8/04/2020 | 2011 | ROBZAP | 303804 | ROBERT ZAPATA | 75.00 |
| 46280 | 8/07/2020 | 2011 | IRS | 20200807Q3 | Internal Revenue Service | 4039.92 |
| 46281 | 8/06/2020 | 2011 | AA-MC | 08052020 | MATTHEW COWLEY | 75.00 |
| 46282 | 8/06/2020 | 2011 | FUNDV | 20-1161 | FAST INC. | 2100.00 |
| 46283 | 8/06/2020 | 2011 | HC-GIN | 5168 | HALE CENTER GIN | 210.32 |
| 46284 | 8/06/2020 | 2011 | JCTERM | 08032020 | JC'S TERMINEX INC | 110.00 |
| 46285 | 8/06/2020 | 2011 | JDALL | 724556 | JEFF DALLUGE | 400.00 |
| 46286 | 8/06/2020 | 2011 | K.W.SH | 2001503 | K.W. Sharp, Inc. | 240.00 |
| 46287 | 8/06/2020 | 2011 | KIMLEY | 64517200 | KIMLEY-HORN AND ASSOCIATES, INC | 3000.00 |
| 46288 | 8/06/2020 | 2011 | MCDONA | 07312020 | MCDONALD TRADING POST | 91.20 |
| 46289 | 8/06/2020 | 2011 | OAG | 08072020 | OFFICE OF ATTORNEY GENERAL | 392.31 |
| 46290 | 8/06/2020 | 2011 | WALLER | 22750 | Tim Bartley DBA Waller's Garage | 66.77 |
| 46291 | 8/06/2020 | 2011 | WOLF | 20001304 | WOLF PUMP | 2122.30 |
| 46292 | 8/11/2020 | 2011 | TX-COM | JULY2020 | Texas Comptroller | 975.37 |
| 46293 | 8/12/2020 | 2011 | CTSI | 08012020 | CTSI | 718.72 |
| 46294 | 8/12/2020 | 2011 | DATA | IN118307 | Data-Line | 138.50 |
| 46295 | 8/12/2020 | 2011 | ENVIRO | 20070051 | Environmental Monitoring Laboratory | 120.00 |
| 46296 | 8/12/2020 | 2011 | HEARST | 823642001 | HEARST MEDIA SERVICES | 70.20 |
| 46297 | 8/12/2020 | 2011 | MCCOY | 07312020 | McCoy's Building Supply | 184.53 |
| 46298 | 8/12/2020 | 2011 | ROBZAP | 303805 | ROBERT ZAPATA | 75.00 |
| 46299 | 8/12/2020 | 2011 | SIERRA | 1358850608 | Sierra Springs | 28.27 |
| 46300 | 8/12/2020 | 2011 | VER | 9859763129 | Verizon Wireless | 415.47 |
| 46301 | 8/12/2020 | 2011 | WEX | 66919400 | WEX Bank | 1753.72 |
| 46302 | 8/12/2020 | 2011 | XCEL | 694969250 | Xcel Energy | 2129.20 |
| 46303 | 8/13/2020 | 2011 | TMRS | JULY2020 | Texas Municipal Retirement System | 3881.84 |
| 46304 | 8/12/2020 | 2011 | NMISPT | JULY2020 | ACH - NMI/STERLING PAYMENT TECH | 493.20 |
| 46305 | 8/12/2020 | 2011 | LOPNS | 07312020 | Lowe's Pay n Save | 147.29 |
| 46308 | 8/18/2020 | 2011 | USPS | 08182020 | Postmaster | 69.65 |
| 46322 | 8/20/2020 | 2011 | ABS | 136083 | American Business Software | 193.70 |
| 46323 | 8/20/2020 | 2011 | ATMOS | 0820-6521 | Atmos | 478.54 |
| 46324 | 8/20/2020 | 2011 | DPC | 7500160320 | DPC INDUSTRIES, INC. | 40.00 |
| 46325 | 8/20/2020 | 2011 | HC-EDC | 08202020 | Hale Center EDC | 3969.45 |
| 46326 | 8/20/2020 | 2011 | HCAD | 08142020 | Hale County Appraisal Dist. | 443.44 |
| 46327 | 8/20/2020 | 2011 | MORCON | 278 | MORGESON CONSULTING | 28500.00 |
| 46328 | 8/20/2020 | 2011 | OAG | 082020 | OFFICE OF ATTORNEY GENERAL | 392.31 |
| 46329 | 8/20/2020 | 2011 | PURPOW | 08062020 | PURCHASE POWER | 23.61 |
| 46330 | 8/20/2020 | 2011 | ROBZAP | 303807 | ROBERT ZAPATA | 150.00 |
| 46331 | 8/21/2020 | 2011 | IRS | 20200821Q3 | Internal Revenue Service | 4432.98 |
| 46332 | 8/21/2020 | 2011 | TMRS | AUG2020 | Texas Municipal Retirement System | 3687.68 |
| 46334 | 8/24/2020 | 2011 | CARWRX | 4416 | TEXAS CARWORX, LLC | 8808.03 |
| 46335 | 8/24/2020 | 2011 | CHILHA | 43816 | Chilton Heating & Air | 141.00 |
| 46336 | 8/24/2020 | 2011 | COHC | 08242020 | CITY OF HALE CENTER | 100.00 |
| 46337 | 8/24/2020 | 2011 | GALLS | 016224145 | GALLS, LLC | 98.62 |
| 46338 | 8/24/2020 | 2011 | GRAPHI | 5512 | GRAPHIC ZONE | 500.00 |
| 46339 | 8/24/2020 | 2011 | ROBZAP | 303808 | ROBERT ZAPATA | 75.00 |
| 46340 | 8/24/2020 | 2011 | SPEC | 07222020 | South Plains Electric Cooperative | 1072.94 |

9/1/2020

Accounts Payable

Period: Yr 20 Pd 11 to Yr 20 Pd 11

City of Hale Center

Page: 2

Title: Check Summary, Bank ID: 01, All Accounts

Date: 09/01/2020 6:29 AM

Format: Summary, All Accounts

| Check No. | Check Date | Period | Vendor No. | Invoice | Company | Amt Paid |
|-----------|------------|--------|------------|------------|---------------------|----------|
| 46341 | 8/24/2020 | 2011 | UNIF | 2519467 | Unifirst | 138.77 |
| 46342 | 8/24/2020 | 2011 | WARREN | 020145107 | WARREN CAT | 5944.26 |
| 46343 | 8/24/2020 | 2011 | XCEL | 696914088 | Xcel Energy | 418.41 |
| 46344 | 8/24/2020 | 2011 | ZZ-PR | 08242020 | PABLO RIVAS | 900.00 |
| 46345 | 8/27/2020 | 2011 | CARDSC | 820-0069-3 | CARD SERVICE CENTER | 623.21 |
| 46346 | 8/27/2020 | 2011 | XCEL | 697407351 | Xcel Energy | 12.57 |

Total:

=====
105337.23

Title: Payroll Earnings

| Check No. | Check Date | Employee | Name | Total Hours | Total TX Wages | Reg Hours | Reg Wages | Overtime | Other Taxable | Other Nontaxable | Prepaid | Check Amt |
|-----------|------------|----------|---------------------|-------------|----------------|-----------|-----------|----------|---------------|------------------|---------|-----------|
| 46267 | 8/07/2020 | G102 | MICHAEL CYPERT | 80.00 | 3,353.85 | 80.00 | 3,353.85 | | | | | 2,446.03 |
| 46268 | 8/07/2020 | G201 | BRANDON RICHARDSON | 113.47 | 1,953.45 | 113.47 | 1,953.45 | | | | | 1,139.24 |
| 46269 | 8/07/2020 | G202 | DUSTIN WATERS | 99.75 | 1,634.61 | 99.75 | 1,634.61 | | | | | 1,251.74 |
| 46270 | 8/07/2020 | G203 | MATTHEW COWLEY | 97.02 | 1,482.77 | 97.02 | 1,482.77 | | | | | 1,145.84 |
| 46271 | 8/07/2020 | G301 | DAVID ROWELL | 20.00 | 276.92 | 20.00 | 276.92 | | | | | 255.73 |
| 46272 | 8/07/2020 | G303 | ALEXANDRA HERNANDEZ | 32.00 | 288.00 | 32.00 | 288.00 | | | | | 265.96 |
| 46273 | 8/07/2020 | G401 | ALBERTO QUINTERO | 36.00 | 290.88 | 36.00 | 290.88 | | | | | 268.63 |
| 46274 | 8/07/2020 | W101 | PATRICIA ISAGUIRRE | 80.00 | 1,746.75 | 80.00 | 1,746.75 | | | | | 1,351.49 |
| 46275 | 8/07/2020 | W103 | LISA RENFRO | 81.93 | 1,409.22 | 80.00 | 1,360.00 | 49.22 | | | | 1,192.48 |
| 46276 | 8/07/2020 | W201 | JOHNNY RUIZ | 91.27 | 1,851.08 | 85.00 | 1,583.55 | 175.22 | 92.31 | | | 1,486.97 |
| 46277 | 8/07/2020 | W202 | JACK NEEDHAM | 80.21 | 1,334.80 | 79.13 | 1,308.02 | 26.78 | | | | 1,028.85 |
| 46278 | 8/07/2020 | W203 | MICHAEL GONZALES | 81.33 | 1,197.20 | 79.20 | 1,150.78 | 46.42 | | | | 1,045.75 |
| 46279 | 8/07/2020 | W204 | ARTHUR SANCHEZ | 91.53 | 1,167.54 | 80.00 | 960.00 | 207.54 | | | | 990.46 |
| 46307 | 8/13/2020 | G203 | MATTHEW COWLEY | 50.00 | 926.73 | 50.00 | 926.73 | | | | | 809.49 |
| 46309 | 8/21/2020 | G102 | MICHAEL CYPERT | 80.00 | 3,353.85 | 80.00 | 3,353.85 | | | | | 2,446.03 |
| 46310 | 8/21/2020 | G201 | BRANDON RICHARDSON | 96.00 | 2,053.46 | 96.00 | 1,953.46 | | 100.00 | | | 1,219.60 |
| 46311 | 8/21/2020 | G202 | DUSTIN WATERS | 96.00 | 1,709.61 | 96.00 | 1,634.61 | | 75.00 | | | 1,312.00 |
| 46312 | 8/21/2020 | G203 | MATTHEW COWLEY | 96.00 | 1,482.77 | 96.00 | 1,482.77 | | | | | 1,145.84 |
| 46313 | 8/21/2020 | G301 | DAVID ROWELL | 20.00 | 276.92 | 20.00 | 276.92 | | | | | 255.73 |
| 46314 | 8/21/2020 | G303 | ALEXANDRA HERNANDEZ | 32.00 | 288.00 | 32.00 | 288.00 | | | | | 265.96 |
| 46315 | 8/21/2020 | G401 | ALBERTO QUINTERO | 36.00 | 290.88 | 36.00 | 290.88 | | | | | 268.63 |
| 46316 | 8/21/2020 | W101 | PATRICIA ISAGUIRRE | 80.00 | 2,046.75 | 80.00 | 1,746.75 | | 300.00 | | | 1,592.54 |
| 46317 | 8/21/2020 | W103 | LISA RENFRO | 77.13 | 1,311.21 | 77.13 | 1,311.21 | | | | | 1,116.17 |
| 46318 | 8/21/2020 | W201 | JOHNNY RUIZ | 78.30 | 1,751.34 | 72.90 | 1,358.13 | 150.90 | 242.31 | | | 1,416.41 |
| 46319 | 8/21/2020 | W202 | JACK NEEDHAM | 98.00 | 2,093.71 | 80.00 | 1,322.40 | 446.31 | 325.00 | | | 1,619.53 |
| 46320 | 8/21/2020 | W203 | MICHAEL GONZALES | 91.17 | 1,605.85 | 80.00 | 1,162.40 | 243.45 | 200.00 | | | 1,412.72 |
| 46321 | 8/21/2020 | W204 | ARTHUR SANCHEZ | 80.58 | 972.96 | 79.58 | 954.96 | 18.00 | | | | 820.50 |
| Totals: | | | | 1,995.69 | 38,151.11 | 1,937.18 | 35,452.65 | 1,363.84 | 1,334.62 | | | 29,570.32 |

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALE CENTER, TEXAS; PROVIDING FOR THE IMPOSITION OF A JUVENILE CURFEW, PROVIDING PENALTIES FOR NON COMPLIANCE AND PROVIDING FOR AN EFFECTIVE DATE OF SAID ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALE CENTER TEXAS AS FOLLOWS:

SECTION 1

A. DEFINITIONS

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular and words in the singular include the plural. The word "shall" is always mandatory and merely directory.

Establishment is any privately owned place of business carried on for a profit or any place of amusement or entertainment to which the public is invited.

Operator is any individual, firm association, partnership or corporation operating, managing, or conducting any establishment; and whenever used in any clause prescribing a penalty, the term as applied to associations or partnerships shall include the members or partners thereof and as applied to corporations shall include the officers thereof.

Parent is any natural parent of a juvenile, a legal guardian, or any adult person, eighteen (18) years or older, in whose care the juvenile has been placed by the natural parent or legal guardian.

Public place is any public street, highway, road, alley, park, playground, public building, parkway or vacant lot.

Remain is to stay behind, to tarry and stay unnecessarily upon a public place, including congregating in groups totaling four (4) or more juveniles in which any minor included would not be using the public place for an ordinary or serious purpose such as passage or going home. To implement this definition with more precision and precaution, numerous exceptions will be provided hereinafter to indicate that this is not a mere prohibitory or presence type curfew ordinance. More exceptions become available to juveniles with increasing years and advancing maturity as appropriate in the interest of reasonable regulation.

Juvenile is any person under the age of seventeen (17) years of age, or in equivalent phrasing, any person of the age sixteen (16) years old or younger.

Time of night is the prevailing local standard time at the date in question, whether Central Standard Time or Central Daylight Savings Time, as observed by the public. The time maintained by the Hale Center Police Department shall be the *prima facie* evidence of the time of day for continued implementation of this chapter.

Years of age is the time from one birthday, such as sixteenth, to the next, but not including the day of the next birthday. Thus upon a person's seventeenth birthday, he or she will cease to be a juvenile regulated by this ordinance.

B. CURFEW ESTABLISHED

- (1) It shall be unlawful for any person sixteen (16) or less years of age to be or remain in or upon any public place or in or upon establishment within the City of Hale Center between the hours of 11:00 p.m. and 6:00 a.m. of the following day, official city time. Sunday through Thursdays the hours shall be from 11:00 p.m. to 6:00 a.m. then Fridays and Saturdays from 12:00 midnight to 6:00 a.m.
- (2) It shall be unlawful for any person enrolled in school up to sixteen (16) of age, inclusive, to be or remain in or upon any public place or in or upon any establishment within the city between normal school hours of school day of the school in which the minor is enrolled.
- (3) It is also unlawful for the parent or legal guardian of a minor under the age of seventeen (17) years to knowingly allow the minor to be in violation of these curfew hours.

C. EXCEPTIONS

In the following exceptional cases a juvenile in or upon any public place or in and upon an establishment shall not be deemed in violation of this ordinance; this section is intended as a clear guide for juveniles, their parents, and law enforcement officials:

- (1) When the juvenile is accompanied by his or her parent, legal guardian or authorized adult supervisor.
- (2) When the minor is engaged in, or traveling to or from any event, function, or activity for which the application of this ordinance would conflict with his or her rights protected by the Texas or United States Constitution. It shall be deemed a bona fide exercise of such rights if the assembly, whether parade or demonstration, has been permitted by the City of Hale Center or other bona fide school, religious or government-sponsored activity involving the right to assemble.
- (3) When engaged in performing an errand or other legitimate business at the direction of a parent, guardian or supervisory adult including travel to and from such location by a direct route.
- (4) When the juvenile is on the sidewalk directly in front of the place where such juvenile resides.
- (5) When the juvenile is engaged in a lawful employment activity, or was going directly to or coming from lawful employment.
- (6) All of the above cited exceptions to the curfew ordinance include travel to and from such activity by a direct route, and this chapter is in no way to be construed as limitation upon normal travel by a juvenile engaged in interstate movement.

- (7) Each of the foregoing exceptions are severable and in addition other possible exceptions may be added hereto in the future as warranted by experience as illuminated by the views of students, school personnel, citizens, neighborhood spokesmen, parents, officers and persons in authority concerned positively with minors as well as juvenile delinquency.
- (8) With respect to Subsection B, paragraph (2) of this ordinance, it shall be an exception that the offense occurred during a scheduled school vacation or holiday observed by the school in which the juvenile is enrolled; or that the juvenile has graduated from high school or received a high school equivalency certificate; or that the juvenile has been emancipated by law; or that the juvenile has permission to be absent from school or to be in a public place from school official, which in the case of a child being educated in a home school includes a parent.

D. PARENTAL RESPONSIBILITY

It shall be unlawful for a parent knowingly to permit or by insufficient control to allow a juvenile in his or her care to be or remain in any public place or to be or remain in any establishment other than for excepted activities during the curfew hours established by this chapter. The term "knowingly" includes knowledge which a parent should reasonably be expected to have concerning the whereabouts of a juvenile in such parent's custody. It shall be *prima facie* evidence of violation of this section if a responsible parent has no knowledge of a juvenile's whereabouts during the hours of curfew established by this chapter. The purpose of this section is to require parents failing to provide appropriate child supervision to meet the community standard of parental responsibility.

E. ESTABLISHMENT OWNER'S RESPONSIBILITY

It shall be unlawful for the owner or operator of a business establishment to allow a juvenile to remain upon such business premises during the hours of curfew established in this chapter beyond the time necessary to conduct an excepted activity. It shall be no defense to this section that juvenile made a purchase, if the juvenile did not immediately make such purchase upon arrival and depart immediately thereafter. It shall be a defense to prosecution under this section that the owner or operator of such business establishment has promptly notified the law enforcement officials that juveniles present on the premises after hours have refused to depart.

F. LAW ENFORCEMENT PROCEDURES

- (1) A Peace Officer, upon finding or having his or her attention called to any juvenile in or on a public place or in or on the premises of a business establishment in a *prima facie* violation of this chapter, may take the juvenile into custody. Such juvenile may be transported to the Police Department. Upon arrival at the Department, a parent, legal guardian or other responsible adult shall be immediately notified to pick up such juvenile at the Department. An officer taking a juvenile into custody shall also have discretion to release such juvenile to a parent, legal guardian or other responsible adult under circumstance deemed appropriate by the officer. An officer may also issue a warning notice to the juvenile in accordance with Section 52.01 of the Texas Family Code and order such juvenile to go directly and promptly to his or her home. Delinquent conduct or conduct indicating a need for supervision under Sections 51.03 and 52.01 of the Texas Family Code shall be handled in accordance with applicable provisions of the Family Code.

- (2) Upon picking up a juvenile in custody, said parent, legal guardian or other responsible adult may be questioned about the circumstance of the juvenile's activities. This is intended to permit ascertainment, under constitutional safeguards, of relevant facts, and to centralize responsibility for accurate, effective, fair, impartial and uniform environment and recording, thus making available experienced supervisory personnel, the best of facilities, and, if required, referral to social agencies equipped to handle family problems that may be disclosed by investigation. In the absence of convincing identification, an officer may use his or her best judgment in determining age. Departmental procedures shall be constantly refined in the light of experience, and changes herein may be made on the basis of such experience.
- (3) In any event, an officer shall within twenty-four (24) hours file a written report on the juvenile incident or shall participate to the extent possible in the preparation and filing of such a report by his supervisor.
- (4) When a parent, legal guardian or other responsible adult has come to take charge of a juvenile and the appropriate information has been received, the juvenile shall be released to the custody of the parent, legal guardian or other responsible adult. If a parent, legal guardian or other responsible adult cannot be located or fails to take charge of the juvenile, then the juvenile shall be released to appropriate authorities. However, the Department shall have the discretion to refuse to release a juvenile to an adult other than the parent or legal guardian of the juvenile.
- (5) A juvenile may not be held at the Department for more than six (6) hours, during such time, the following procedures shall be observed:
 - (a) The office must be an unlocked, multipurpose area that is not designated, set aside, or used as a secure detention area or part of a secure detention area;
 - (b) The juvenile may not be secured physically to a cuffing rail, chair, desk, or stationary object;
 - (c) The juvenile may not be held longer than necessary to accomplish the purposes of identification, investigation, processing, release to parent, guardians or custodians, and arrangement of transportation to school or court; and
 - (d) The office may not be designated or intended for residential purposes.

G. PENALTIES

Prevailing community standards as reflected by this chapter require the availability of criminal penalties in order for this chapter to be a viable instrument for the maintenance of such standards.

Consequently, violation of this chapter by a juvenile, parent or business establishment owner or operator shall be deemed to be a misdemeanor punishable by a fine not exceeding \$500.00. Each day any violation continues constitutes a separate offense.

H. SEVERABILITY

Severability is intended throughout and within this chapter. If any provision, including any section, paragraph, sentence, clause, phrase, or word or the application thereof to any person or circumstances is held invalid, the application to other persons or under other circumstances shall not be affected thereby and the validity of the chapter in any and all other respects shall not be affected thereby. It is intended that this chapter be held inapplicable in any case if such exists, where its application would be unconstitutional. A constitutional construction hereof is intended and shall be given. There is no intent herein to violate either the Texas Constitution or the Constitution of the United States of America.

I. CONTINUING EVALUATION

This ordinance, shall be reviewed every third year prior to September 30 of such year as required by Section 370.002, Texas Local Government Code. The first review shall be conducted no later than September 30, 2020, and every third year thereafter. Such review shall be conducted following a public hearing upon the need to continue the ordinance and the City Council shall have the option to continue, abolish or modify the ordinance based upon their review of the ordinance's effects on the community and on the problems the ordinance is intended to remedy.

SECTION 2

This ordinance shall repeal all prior ordinances in conflict herewith including City of Hale Center Ordinance No. 435. This ordinance shall take effect upon completion of publication of the caption of this ordinance as provided by law.

PASSED AND APPROVED on this the ____ day of _____ 20__.

W.H. Johnson, Mayor

ATTEST:

Patricia Isaguirre, TRMC, City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALE CENTER, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE EXECUTIVE COMMITTEE OF CITIES SERVED BY ATMOS WEST TEXAS ("CITIES") AND ATMOS ENERGY CORP., WEST TEXAS DIVISION REGARDING THE COMPANY'S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE CITIES' LEGAL COUNSEL.

WHEREAS, the City of Hale Center, Texas ("City") is a gas utility customer of Atmos Energy Corp., West Texas Division ("Atmos West Texas" or "Company"), and a regulatory authority with an interest in the rates and charges of Atmos West Texas; and

WHEREAS, the City is a member of Cities Served by Atmos West Texas ("Cities"), a coalition of similarly-situated cities served by Atmos West Texas that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos West Texas service area; and

WHEREAS, Cities and the Company worked collaboratively to develop a new Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process by Cities as a substitute to the Gas Reliability Infrastructure Program ("GRIP") process instituted by the

RESOLUTION NO. _____

Legislature, and that will establish rates for Cities based on the system-wide cost of serving the Atmos West Texas service area; and

WHEREAS, the RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about March 31, 2020, Atmos West Texas filed its 2020 RRM rate request with Cities based on a test year ending December 31, 2019; and

WHEREAS, Cities coordinated its review of the Atmos West Texas 2020 RRM filing through its Executive Committee, assisted by Cities' attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as Cities' counsel and consultants, recommends that Cities approve an increase in base rates for Atmos West Texas of \$5.9 million with an Effective Date of December 1, 2020; and

WHEREAS, the attached tariffs (Exhibit A) implementing new rates are consistent with the recommendation of the Cities' Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Exhibit B) and

WHEREAS, the settlement agreement establishes an amortization schedule for regulatory liability (Exhibit C); and

WHEREAS, the RRM Tariff contemplates reimbursement of Cities' reasonable expenses associated with RRM applications;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HALE CENTER, TEXAS:

Section 1. That the findings set forth in this Resolution are hereby in all things approved.

Section 2. That, without prejudice to future litigation of any issue identified by Cities, the City Council finds that the settled amount of an increase in revenues of \$5.9 million for Cities represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos West Texas within the municipal limits arising from Atmos West Texas' 2020 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3. That the existing rates for natural gas service provided by Atmos West Texas are unreasonable. The new tariffs, attached hereto and incorporated herein as Exhibit A, are just and reasonable, and are designed to allow Atmos West Texas to recover annually an additional \$5.9 million in revenue from customers in Cities, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 4. That the ratemaking treatment for pensions and retiree medical benefits in Atmos West Texas' next RRM filing shall be as set forth on Exhibit B, attached hereto and incorporated herein.

Section 5. That subject to any future settlement or decision regarding the balance of Excess Deferred Income Tax to be refunded to ratepayers, the amortization of regulatory liability shall be consistent with the schedule found in Exhibit C, attached hereto and incorporated herein.

Section 6. That Atmos West Texas shall reimburse the reasonable ratemaking expenses of the Cities in processing the Company's 2020 RRM filing.

Section 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

RESOLUTION NO. _____

Section 8. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 10. That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after December 1, 2020.

Section 11. That a copy of this Resolution shall be sent to Atmos West Texas, care of Philip Littlejohn, Vice President of Rates and Regulatory Affairs, West Texas Division, 6606 66th Street, Lubbock, Texas 79424, and Geoffrey Gay, General Counsel to Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this _____ day of _____, 2020.

Mayor

ATTEST:

APPROVED AS TO FORM:

City Secretary

City Attorney

2142/18/8109111

ORDINANCE NO. 20200908A

AN ORDINANCE OF THE CITY OF HALE CENTER PROHIBITING DRILLING AND MINING OR THE REOPENING OF ANY ABANDONED WELL OR MINE IN ANY PUBLIC PARK LOCATED WITHIN THE CITY LIMITS OF HALE CENTER, TEXAS; PROVIDING FOR SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALE CENTER, TEXAS THAT:

SECTION 1. All forms of drilling and mining are permanently prohibited in any public park located within the City Limits of Hale Center, Texas.

SECTION 2. No previously drilled and abandoned well or mine may be reopened in any public park located within the City limits of Hale Center, Texas.

SECTION 3. If any section, sub-section , sentence, clause, phrase or portion of this ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase or portion shall be deemed a separate, distinct, and independent provision and such invalidity shall not affect the validity of the remaining portion.

SECTION 4. This ordinance shall take effect from and after its adoption by the City Council of the City of Abernathy, Texas.

PASSED AND ADOPTED THIS 8TH DAY OF SEPTEMBER, 2020

ATTEST:

W. H. Johnson , Mayor

Patricia Isaguirre, City Secretary

ORDINANCE 20200908B

AN ORDINANCE ADOPTING THE TAX RATE AND LEVYING A TAX UPON ALL TAXABLE PROPERTY WITHING THE CITY OF HALE CENTER, TEXAS FOR THE 2020 TAX YEAR FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF HALE CENTER FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; APPROPRIATING THE FUNDS DERIVED FROM SAID TAX LEVY TO THE GENERAL FUND; PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME SHALL BECOME DELINQUENT IF NOT PAID; AND ESTABLISHING AN EFFECTIVE DATE

Whereas, the City Council of the City of Hale Center, Texas approved the municipal budget for the fiscal year beginning October 1, 2020 and ending September 30, 2021; and

Whereas, the City of Hale Center was exempt from public hearings to obtain comments and recommendations for Hale Center residents, businesses, and other interested persons specifically on the City's property tax rates.

Whereas, it is necessary that an Ordinance be passed levying an ad valorem tax on all property, both real and personal, within the corporate limits of the City of Hale Center, Texas in accordance with such budget and the Texas Tax Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALE CENTER, TEXAS:

SECTION 1

There is hereby levied and there shall be collected for the Maintenance and Operations (use and support) of the municipal government of the City of Hale Center (herein the "City") upon all property, real, personal, and mixed, within the corporate limits of said city on January 1, 2019 subject to taxation, a tax of \$0.6200 on each \$100.00 taxable valuation of property, said tax being so levied and apportioned to the specific purposes here set forth:

1. For the Maintenance and Operation support of the general government (General Fund), \$0.6200 on each \$100.00 taxable valuation of property.
2. The total tax rate of \$0.6200 on each \$100.00 taxable valuation of property is 4.5 percent below the no-new tax rate of \$0.0.6492 per \$100.00 taxable valuation of property.
3. The total tax rate of \$0.6200 on each \$100.00 taxable valuation of property is 2.52 percent below the voter approved tax rate of \$0.0.6360 per \$100.00 taxable valuation of property.

4. THE TAXES ASSESSED AND LEVIED HEREBY WILL INCREASE TAX REVENUES FOR MAINTENANCE AND OPERATIONS OVER LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 1.35 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$0.00.

SECTION 2.

Taxes Due and Payable. That taxes levied under this Ordinance shall be due and payable on October 1, 2020 and if not paid on or before January 31, 2021 shall immediately become delinquent.

SECTION 3.

Tax Lien. All taxes shall become a lien upon the property against which is assessed, taxes not paid on or before January 31, 2021 shall be increased by such penalty and interest as is provided by state law and, Article 11.02.002 of the Code of Ordinances of the City of Hale Center.

SECTION 4.

Public Hearing. In compliance with Truth-in-Taxation requirements, the required public "Notice of Meeting to Vote On Tax Rate" was published in the Plainview Daily Herald on August 21, 2020.

SECTION 5.

Effective Date. This ordinance shall become effective on the date of its passage by the City Council of the City of Hale Center, Texas.

SECTION 6.

Open meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

PASSED AND APPROVED THIS 8TH DAY OF SEPTEMBER 2020 BY THE FOLLOWING MOTION "I MOVE THAT PROPERTY TAXES BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.6200/\$100 WHICH IS EFFECTIVELY A 1.35 PERCENT INCREASE IN THE TAX RATE," WHICH WAS MADE BY COUNCILMEMBER

**_____, MOTION SECONDED BY
COUNCILMEMBER _____ TO APPROVE THIS ORDINANCE
HAVING REVIEWED _____ AYES: _____ NAYS AND _____ ABSTAINED.**

W. H. Johnson, Mayor

ATTEST:

Patricia Isaguirre TRMC, City Secretary

RECORD OF VOTE

| | |
|----------------------|----------------------------------|
| Councilwoman Boyce | For – Against – Abstain - Absent |
| Councilman Castillo | For – Against – Abstain - Absent |
| Councilman Martinez | For – Against – Abstain - Absent |
| Councilwoman Peoples | For – Against – Abstain - Absent |
| Councilwoman Reyna | For – Against – Abstain - Absent |

CITY OF HALE CENTER

TO: Honorable Mayor and City Council Members

SUBJECT: Summer Work Hours

At the February meeting, a summer work hour policy was incorporated into the Personnel Policies Manual.

Winter hours on a regular work week are 8-5, Monday – Friday. Beginning on Memorial Day, work hours change to 7-5 Monday – Thursday and 8-12 on Friday. This summer schedule continues until Labor Day.

Both the Water Department employees and City Hall staff have requested me to inquire about the possibility of continuing the summer work schedule throughout the entire year.

Respectfully submitted,

Mike Cypert

CITY OF HALE CENTER, TEXAS NEWSPAPER RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL DESIGNATING THE ABERNATHY ADVOCATE AS AN OFFICIAL
NEWSPAPER FOR THE CITY OF HALE CENTER FOR FISCAL YEAR 2020-2021**

WHEREAS, the City Council finds that the *ABERNATHY ADVOCATE* is a paper of general circulation within the CITY OF HALE CENTER; and

WHEREAS, the City Council finds that the *ABERNATHY ADVOCATE*:

- (1) devotes not less than 25% of its total column lineage to general interest items;
- (2) is published at least once each week;
- (3) is entered as 2nd-class postal matter in the county where published; and
- (4) has been published regularly and continuously for at least 12 months before the governmental entity or representative publishes notice; and

WHEREAS, the City Council finds that the *ABERNATHY ADVOCATE* is a publication that meets all of the criteria legally required of an officially designated newspaper for the CITY OF HALE CENTER; and

NOW THEREFORE, be it hereby Resolved by the Council of the City of HALE CENTER, Texas, that:

- (1) The *ABERNATHY ADVOCATE* is designated as the official newspaper for the City of HALE CENTER for Fiscal Year 2020-2021 commencing **SEPTEMBER 8, 2020**
- (2) The CITY MANAGER is authorized and directed to execute a contract with the *ABERNATHY ADVOCATE* establishing the applicable rates for publication of city notices.
- (3) Until **September 30, 2021**, the CITY OF HALE CENTER shall continue to publish in the *ABERNATHY ADVOCATE* each ordinance, notice or other matter required to be published by law.
- (3) This Resolution is effective immediately upon passage.

PASSED & APPROVED by the City Council on this, the ____ day of _____, 2020.

CITY OF HALE CENTER:

W.H. Johnson, Mayor

Patricia Isaguirre, TRMC, City Secretary

ORDINANCE NO. 2019-1015

GOLF CART ORDINANCE

AN ORDINANCE OF THE CITY OF HALE CENTER, TEXAS, REGULATING THE OPERATION OF GOLF CARTS ON PUBLIC STREETS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES.

WHEREAS, under Texas Law, it is generally an offense to operate golf carts on public streets; and

WHEREAS, the City Council of the City of Hale Center ("City Council") seeks to authorize the operation of golf carts on public streets in certain situations; and

WHEREAS, the City Council finds that the use of golf carts as transportation over public streets is reasonable and prudent in many situations and in accordance with the safeguards specified in this ordinance; and

WHEREAS, the City Council is authorized to allow limited operation of golf carts on public streets in accordance with Texas Transportation Code §§ 551.403 and .404; and

NOW, THEREFORE, be it ordained by the City Council of the City of Hale Center, Texas:

SECTION 1: OPERATION OF GOLF CARTS ON PUBLIC STREETS

§ 1.01 Definitions

The following words, terms, and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Driver means the person driving and having physical control over the golf cart.

Driver's License means an authorization issued by a State for the operation of a motor vehicle. The term includes: (1) a temporary license or instruction permit; and (2) an occupational license.

Golf cart shall have the meaning assigned by the Texas Transportation Code §502.001 (18), as amended, and means a motor vehicle commonly referred to as a golf cart, which must have an attainable top speed not greater than 25 miles per hour on a paved level surface and which is manufactured primarily for transporting persons on a golf course

and in compliance with those federal motor vehicle safety standards for low-speed vehicles. Specifically excluded from this definition are those motorized conveyances commonly referred to as all-terrain vehicles ("ATVs"), off-road vehicles, four-wheelers, Mules, Gators and design-altered golf carts which have been altered to allow them to travel at a speed greater than 25 miles per hour.

Motorized Cart means those electric and gasoline powered carts, commonly referred to as golf carts, but which must have a minimum of three wheels and which have an attainable top speed not greater than 25 miles per hour on a paved level surface and which is manufactured in compliance with those federal motor vehicle safety standards for low-speed vehicles. Specifically excluded from this definition are those motorized conveyances commonly referred to as ATV's, four-wheelers, Mules, and Gators.

Golf cart registration permit shall mean a privilege granted, upon compliance with the terms of this ordinance, to legally operate a golf cart upon a public street or roadway within the city limits of the City of Hale Center during the period when granted.

Golf cart registration permit decal shall mean a certificate for attachment to a golf cart carrying a serial number corresponding to the number of the golf cart license for such golf cart and showing the month and calendar year the license shall expire.

Golf cart registration permit fee shall mean an administrative charge imposed as specified in this chapter for the granting of a golf cart registration permit and the issuance of a golf cart registration permit decal.

Owner means the person holding title to the golf cart.

Park or parking: The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers.

Parking Area means those areas accessible to the public by motor vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.

Permit means a certificate/decal of authorization issued to the applicant by the City authorizing the operation of the golf cart for which the permit was issued. The decal will display the month and year of expiration.

Permit Holder means the person to whom a golf cart permit has been issued.

Public Safety Personnel means an officer of a the Hale Center Police Department or any officer of a governmental law enforcement agency.

Public Street means the public roadways of the City of Hale Center by whatever name, e.g. road, alley, avenue, highway, route, boulevard, etc. within the city limits of Hale Center that:

- (a) Has a speed limit of 35 miles per hour or less;
- (b) Provides for no more than one lane of vehicular traffic per direction;
- (c) Is not designated as part of either the State or Federal highway system.

Sidewalk means the portion of a street that is between a curb or lateral line of a roadway and the adjacent property line and intended for pedestrian use.

Slow-Moving-Vehicle-Emblem means a triangular emblem that conforms to standards and specifications adopted by the Director of the Texas Department of Transportation under Section 547.104 of the Texas Transportation Code and is displayed in accordance with Section 547.703 of the Texas Transportation Code.

Texas Transportation Code means the code as it currently exists or may be amended.

Traffic Way is any land way open to the public as a matter of right or custom for moving persons or property from one place to another. The traffic way includes all property, both improved and unimproved, between the property lines of a roadway system.

§ 1.02 Golf Carts Permitted and Restricted

A person, other than public safety personnel, may operate a golf cart on a public street, parking area and/or traffic way if the person obtains a registration permit, affixes a registration decal, and meets the following requirements:

- (a) The maximum speed limit on a public street is thirty-five (35) miles per hour or less;
- (b) The person has a valid driver's license;
- (c) The owner of the golf car will maintain current financial responsibility for the vehicle, as required by Texas Transportation Code, Section 601.051;
- (d) The person complies with all applicable federal, state and local laws and ordinances;
- (e) The golf cart has the following equipment, which must continuously remain in good working and operational order:
 - (1) Two (2) headlamps;
 - (2) Two (2) tail lamps;
 - (3) Side reflectors (two (2) front, amber in color and two (2) rear, red in color);

- (4) Rearview mirror(s), capable of a clear, unobstructed view of at least two hundred feet (200') to the rear;
- (5) Brake lights, that are visible in normal sunlight at a distance of at least 300 feet from the rear of the vehicle;
- (6) Safety belts for driver and all passengers;
- (7) Slow-moving vehicle emblem(s) having a reflective surface designed to be clearly visible in daylight or at night from the light of standard headlamps at a distance of at least 500 feet and shall be mounted base down on the rear of the vehicle at a height from three to five feet above the road surface and shall be maintained in a clean reflective condition;
- (8) A parking/emergency brake.

The equipment described herein meets the Texas and Federal Motor Vehicle Safety Standards, as they exist or may be amended; and

§ 1.03 Additional Requirements for Golf Carts Powered By Gasoline

In addition to the requirements set forth herein, every golf cart powered by gasoline shall at all times be equipped with an exhaust system in good working order and in

- (a) The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or including any and all parts specified by the manufacturer;
- (b) The exhaust system and its elements shall be securely fastened with brackets or hangers, which are designed for the particular purpose of fastening golf cart exhaust systems;
- (c) The engine and powered mechanism of every golf cart shall be so equipped, adjusted and tuned so that the exhaust is in good working order; and
- (d) It shall be unlawful for the owner of any golf cart to operate or permit the operation of such golf cart on which any device controlling or abating atmospheric emissions which is placed on a golf cart by the manufacturer is rendered unserviceable by removal, alteration or which interferes with its operation.

§ 1.04 Additional Operational Regulations For All Golf Carts

- (a) Except for Public Safety Personnel, golf carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, park trail or any location normally used for pedestrian traffic;

- (b) All golf carts are entitled to a full use of a lane on authorized public streets, parking areas and traffic ways of Hale Center, and no motor vehicle shall be driven in such a manner as to deprive any golf cart of the full use of a lane;
- (c) The driver of a golf cart shall not overtake and pass in the same lane occupied by the vehicle being overtaken;
- (d) No driver shall operate a golf cart between lanes of traffic or between adjacent lines or rows of vehicles;
- (e) The driver of a golf cart operating the golf cart on a public street may only cross a multi-lane federal, county, or state route at an intersection controlled by an official traffic control device which stops traffic from all directions.
- (f) The number of occupants in a golf cart shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart;
- (g) While the golf cart is in motion, the driver and every passenger in a golf cart is seated in a seat designed to hold passengers. No person may stand or ride in the lap of the driver and/or other passenger of a golf cart while it is moving. The driver and passengers are required to wear safety belts per state law.
- (h) Children must be properly seated and properly restrained while a golf cart is in motion and may not be transported in a reckless or negligent manner.
- (i) Golf carts may not be used for the purpose of towing another golf cart, trailer or vehicle of any kind including, without limitation, a person on roller skates, skateboard or bicycle.
- (j) Golf carts shall not be operated during inclement weather or when visibility is impaired by weather, smoke, fog, or other condition, or at any time when there is insufficient light to clearly see persons or vehicles on the roadway at a distance of five hundred feet (500').
- (k) Travel on Ave K (FM1914), Cleveland (FM1424), I-27 service roads (east and west) and Main Street are prohibited as those roadways are state thoroughfares. Travel is allowed on these roadways to cross only as stated in (e).

§ 1.05 Liability

- (a) Nothing in this Article shall be construed as an assumption of liability by the City of Hale Center for any injuries (including death) to persons, pets or property which may result from the operation of a golf cart by an authorized driver; and

- (b) Owners are fully liable and accountable for the action of any individual that they provide permission to operate and drive said golf cart, both on personal and/or any authorized public streets, parking areas and traffic ways. This described liability responsibility especially applies to personal injuries (including death) or property damage resulting from golf cart drivers who are minors under the age of twenty-one (21) with or without a current and valid driver's license.

§ 1.06 Registration Permit Required

- (a) No person shall operate, cause to be operated or allow the operation of a golf cart on any authorized public streets, parking areas and traffic ways unless a valid registration permit has been issued for the golf cart or otherwise allowed by law.
- (b) Application for a permit authorizing the operation of a golf cart shall be made by a person who owns, leases, or otherwise uses a golf cart. Such application shall be made in writing to the City on a form designated for that purpose. On such application shall be set forth the following:
 - (1) The name, address, telephone number and state driver's license number of the permit holder;
 - (2) The street address where the golf cart is kept;
 - (3) The business name used for the premises where the golf cart is kept, if applicable;
 - (4) The year, make, model, color, vehicle identification number or serial number if no vehicle identification number has been issued to the golf cart, electric or gasoline; and
 - (5) The person(s) and location, designated by the City, that inspected the golf cart, including a certification by said inspector that the golf cart complies with the requirements of this Ordinance before the issuance of a permit;
 - (6) Statement that all operators are required to be licensed pursuant to Texas Transportation Code §§521.001(3) and 521.021, as amended, and that all equipment required herein is installed and will be kept operational during the permit period.
 - (7) Statement that the registration permit holder as well as any user of the golf cart, shall indemnify and hold harmless the City of Hale Center, Texas for any and all civil liability associated with said registration, and waives any and all rights to sue or allow subrogation by an insurance company.

- (8) The Hale Center Police Chief or designated police officers will be responsible for inspections of golf carts to ensure they are in compliance with the Ordinance. Golf carts will be inspected annually, at the initial application and the annual permit renewals.
- (9) Other information which the City may require.
- (c) The registration permit decal shall be permanently affixed on the left side of the golf cart in such a manner that it is clearly visible from fifty feet (50'). The permit must not be damaged, altered, obstructed or otherwise made illegible. The permit holder shall apply for a replacement permit and pay all applicable costs associated with the issuance and inspection of the golf cart;
- (d) The registration permit decal shall only be placed upon the golf cart for which it was issued;
- (e) A permit issued to a golf cart shall become invalid if the golf cart is altered in a manner that fails to comply with any requirement of this Ordinance;
- (f) Registration Permits/Decals are valid for a period of one (1) year and each shall expire on December 31. The following fees shall apply:
 - (1) Registration Permit - \$75.00
 - (2) Golf cart inspection-\$25.00
 - (3) Re-inspection if a cart fails the initial inspection - \$20.00
 - (4) Governmental entities applying for a Registration Permit are exempt from any fees.
- (g) The permit holder shall notify the City within ten (10) working days if the golf cart transfers ownership or the address of the normal storage location has changed. The information shall be submitted on a form provided by the City;
- (h) Lost or stolen Permit/Decals are the responsibility of the owner. A police report must be filed in the event of a lost or stolen permit/decal. If no record can be found of a previous application, or the receipt of a Permit/Decal, the City may direct the applicant to reapply, and also resubmit any and all fees necessary before a replacement Permit/Decal is issued;
- (i) Any person who operates a golf cart and fails to receive and properly display a City permit/decal will be subject to all applicable state laws, in addition to being in violation of this Ordinance; and
- (j) A permit may be revoked at any time by the City, or its designee(s), if:

- (1) There is any evidence that the permit holder cannot safely operate a golf cart on any authorized public streets, parking areas and traffic ways of the City in compliance with this Ordinance.
 - (2) The owner or driver fails to abide by the rules and regulations of this ordinance
 - (3) The owner fails to maintain proof of financial responsibility during the entire permit registration period.
- (k) The commission of any of the violations described herein constitutes evidence that the permit holder cannot safely operate a motorized golf cart on the street within the city of Hale Center.
- (l) The permit is not transferable. Upon transfer of ownership of the golf cart to a person who intends to operate it over authorized streets and parking areas, the new owner must register the golf cart and pay the registration permit fee as outlined hereinabove.

§ 1.07 Public Safety Personnel

Public Safety Personnel may operate a golf cart on any public street, parking area and traffic way without any further restrictions when the golf cart is used in the performance of his/her duties or on official business of the City or on City owned property and City leased property, including but not limited to, a parade, a festival or other special events.

SECTION 2. PENALTY PROVISION.

§ 2.01 Any person, firm, entity or corporation who violates any provision of this Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Five Hundred Dollars (\$500.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the City of Hale Center from filing suit to enjoin the violation. The City of Hale Center retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 3. SAVINGS/REPEALING CLAUSE.

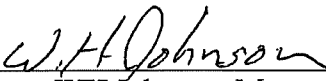
All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; however, such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4. SEVERABILITY.

Should any section, subsection, clause or phrase of this ordinance be declared unconstitutional or invalid by any court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full for force and effect.

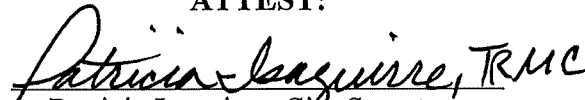
PASSED & APPROVED on this, the 15th day of October, 2019.

CITY OF HALE CENTER:

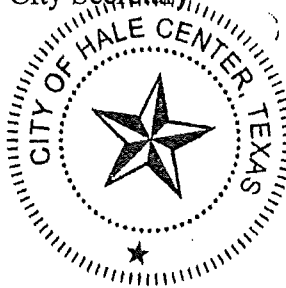


W.H. Johnson, Mayor

ATTEST:



Patricia Isaguirre, City Secretary



Mike Cypert

From: Kirk Franklin <kirk@franklinlegal.net>
Sent: Tuesday, September 1, 2020 3:03 PM
To: citymanager@cityofhalecenter.com
Subject: Hale Center New Code

Mike:

Sorry I didn't get back with you yesterday as promised. So the editor has your code now, and it should be completed and to you within the month. I know this has taken time, but we're not able to do much until we get all the materials and, as you know, that took a while. We're still missing things, I'm fairly certain, but what's missing will be more obvious once we have the draft done.

I'll be in touch with you as soon as I have the draft ready for you.

Kirk



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